

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

RED BARN MOTORS, INC.,
DONALD B. RICHARDSON, AND
BARBARA A. RICHARDSON,

Plaintiffs,

v.

NEXTGEAR CAPITAL, INC.,
as successor-in-interest to
DEALER SERVICES CORPORATION,
and LOUISIANA'S FIRST CHOICE
AUTO AUCTION, L.L.C.,

Defendants.

CIVIL

ACTION NO. : 1:14-cv-01589-TWP-DKL

MOTION FOR EXTENSION OF TIME

Now into Court, through undersigned counsel, comes Plaintiff, Red Barn Motors, Inc. ("Red Barn"), who, pursuant to Local Rule 6-1, files this motion seeking an extension of the deadline for filing any motions for leave to amend the pleadings or join additional parties to January 8, 2016.

1.

On November 24, 2015, this Court granted Plaintiff's *Unopposed Motion for Extension of Time* and extended all deadlines set forth in the Amended Case Management Plan, except conference and trial dates, by two weeks. Accordingly, the new deadline for filing any motions for leave to amend the pleadings or join additional parties is Tuesday, December 15th.

2.

Undersigned counsel intends to add additional plaintiffs to this suit. Unfortunately, additional time is needed to obtain information and documents from the potential plaintiffs so as to complete the amended pleadings.

3.

Red Barn seeks an extension of the deadline for filing any motions for leave to amend the pleadings or join additional parties to January 8, 2016.

4.

Undersigned counsel contacted counsel for both Defendants via email on December 11, 2015, seeking their consent to the above-requested extensions. NextGear Capital, Inc., through its counsel, agreed and consents to the extension. Unfortunately, no response was received from counsel for Louisiana's First Choice Auto Auction, L.L.C.

5.

Accordingly, Red Barn requests this Court grant an extension of time for filing any motions for leave to amend the pleadings or join additional parties to January 8, 2016.

Wherefore, Plaintiff, Red Barn Motors, Inc., prays this Court grant its motion requesting an extension of the deadline for filing any motions for leave to amend the pleadings or join additional parties to January 8, 2016.

[CONTINUED ON FOLLOWING PAGE]

Respectfully submitted,

CASSIE FELDER & ASSOCIATES, L.L.C.

/s/ Joshua P. Melder

Cassie E. Felder (La. Bar No. 27805)

Joshua P. Melder (La. Bar No. 33983)

343 3rd Street, Suite 308

Baton Rouge, Louisiana 70801

Phone: (225) 448-3560

Fax: (225) 372-2862

Email: cfelder@felderllc.com

joshua@felderllc.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I do hereby certify that I have on the 11th day of December, 2015, served a copy of the foregoing *Motion for Extension of Time* on all counsel of record via electronic service by the court's CM/ECF system. Notice of this filing will be sent to all counsel of record by operation of the Court's electronic filing system.

David J. Jurkiewicz

Steven D. Groth

Bose, McKinney & Evans, L.L.P.

djurkiewicz@boselaw.com, sgroth@boselaw.com

Lisa Brener

Brener Law Firm, L.L.C.

lbrener@brenerlawfirm.com, tkeller@brenerlawfirm.com

/s/ Joshua P. Melder

Joshua P. Melder